

## **REMARKS**

Claims 1, 3-8, 12-16, 18, 20-22 and 25 are now pending in the application. By the present amendment claims 9-11, 17, 23 and 24 have been cancelled without prejudice. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

## **INTERVIEW SUMMARY**

The undersigned wishes to express his appreciation to the Examiner for the courtesy of the telephone interview on June 4, 2010. The claim amendments were discussed relative to the cited references, but no definite agreement was reached.

## **REJECTION UNDER 35 U.S.C. § 103**

Claims 1, 3, 5-8, 12, 14-16, 18, 21 and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sklar et al. (U.S. Pat. No. 5,990,928) in view of Chobotov (Orbital Mechanics). This rejection is respectfully traversed.

Initially it will be noted that Claim 1 has been amended to more positively call out the operations of "*identifying fade areas*" within the coverage region and "*determining the proximity of the mobile platform to the fade areas.*" Somewhat similar amendments have been made to independent claims 12 and 18. Bases for these amendments may be found at paragraphs 0032 and 0033 of the application. For the Examiner's convenience claim 1 is set forth in full below:

1. (Currently Amended) A method for determining when a moving, airborne mobile platform will enter or exit at least one satellite coverage region, said method comprising:

*consideration latitude, longitude and altitude to define a three dimensional spatial volume defined by the satellite coverage region;*

*monitoring a position of the mobile platform and an altitude of the mobile platform as the mobile platform moves along a travel path; and*

*determining the proximity of the mobile platform to the satellite coverage region perimeter, taking into account a current latitude, longitude and altitude of the mobile platform;*

*identifying fade areas within the satellite coverage region utilizing signal strength data of a signal from a satellite associated with the satellite coverage region; and*

*determining the proximity of the mobile platform to the fade areas.*

As the Examiner has noted on page 8 of the outstanding Office Action, neither Sklar or Chobotov disclose or suggest identifying signal fade areas within a given satellite coverage region using signal strength data. Nor do these references disclose or suggest determining the proximity of the mobile platform to the fade areas as the mobile platform travels within a given coverage region. The undersigned has carefully reviewed Miller et al. and this reference also does not appear to disclose or suggest this feature. Miller et al. discusses, in columns 11, 12 and 13, determining the amount of time used to distribute the handoffs via signal strengths, such as by a minimum signal strength. A statement is made that the MCU knows the beams roll off patterns and the overlap between beams. There is no suggestion that this technique is being used to determine the "fade areas" within the satellite coverage region. It appears that the only determination being made by Miller et al. is when one beam has "rolled off" to a sufficient degree to indicate that a handoff needs to be made to a different satellite (which also requires that the system know the overlap between the two beams). The

present system and method goes beyond what is suggested by Miller et al. by actually determining the fade areas within a given coverage region. By knowing the fade areas, appropriate action can be taken to avoid, minimize, or at least alert passengers of the possibility of a momentary disruption in service, with sufficient time in advance of the disruption so that the passenger can take any appropriate action. For at least these reasons, reconsideration and withdrawal of this rejection is respectfully requested.

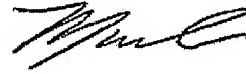
Claims 4, 13 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sklar et al. as modified by Chobotov as applied to claims 1, 12 and 18 above, and further in view of Ashton et al. (U.S. Pat. No. 6,434,682). Claims 9-11, 17 and 23-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sklar et al. as modified by Chobotov as applied to claims 1, 12 and 18 above, and further in view of Miller et al. (U.S. Pat. No. 5,956,644). In view of the amendments made to the independent claims, it is believed that these rejections have been rendered moot.

## **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

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Respectfully submitted,



Dated: June 7, 2010

By: \_\_\_\_\_  
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